

**RESOLUTION NO. 09-193**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING THE FINAL DECISION OF THE PLANNING AND ZONING BOARD, DECISION NO. 09-30 THAT GRANTED AN ADJUSTMENT ON CONDITION THAT THE GAZEBO REMAIN OPEN ON THREE SIDE AND ALL IMPROVEMENTS BUILT WITHOUT THE BENEFIT OF A BUILDING PERMIT BE LEGALIZED WITHIN 180 DAYS, ON PROPERTY LOCATED AT **222 TO-TO-LO CHEE DRIVE, HIALEAH, FLORIDA;** AND PROVIDING FOR AN EFFECTIVE DATE.

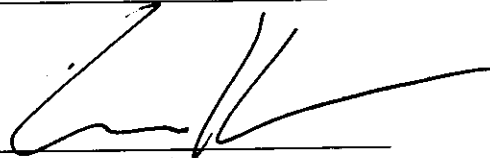
**WHEREAS**, the Planning and Zoning Board, at its regular meeting of October 28, 2009, entered a final decision, Decision No. 09-30, subject to review by the Hialeah City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** The Mayor and the City Council of the City of Hialeah, Florida hereby approve Final Decision 09-30 granting an adjustment of 6 feet, as to the distance between the main residence and an accessory building, where 20 feet are required, to accommodate a gazebo, built without the benefit of a building permit, on condition that the gazebo remain open on three sides and all improvements built without the benefit of a building permit be legalized within 180 days. The property located at 222 To-To-Lo Chee Drive, Hialeah, Florida, zoned R-1 (One Family District).

**Section 2:** This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED AND ADOPTED this 8th day of December, 2009.

  
\_\_\_\_\_  
Carlos Hernandez  
Council President

Attest:

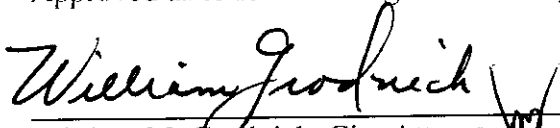
Approved on this 9 day of December, 2009.

**MAYOR'S SIGNATURE WITHHELD**

\_\_\_\_\_  
Rafael E. Granado, City Clerk

\_\_\_\_\_  
Mayor Julio Robaina

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
William M. Grodnick, City Attorney

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Resolution was adopted by a 6-0 vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Hernandez, Yedra voting "Yes", Councilmember Gonzalez absent.